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February 18, 2011

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings

FEB 18 2011

Part of
Public Record

RE: STB Finance Docket No. 35253, Arthur W. Single II, Dale R. Pape, Dawn M. Osment, I. Howard Smith, Ferrovia-LLC, and Adrian & Blissfield Rail Road Company-Continuance-in-Control-Exemption- Charlotte Southern Railroad Company, Detroit Connecting Railroad Company, Lapeer Industrial Railroad Company, and Jackson & Lansing Railroad Company

Dear Ms. Brown:

I, Dale R. Pape, as a shareholder of the Adrian & Blissfield Rail Road Company and misrepresented as a Petitioner in the above-referenced Notice, feel compelled to notify the Board that I never consented to the Notice and was not made aware of its filing until it was published on the Board's website. Dawn M. Osment also never consented to the Notice nor was she made aware of it until I notified her. And, as alleged with other ADBF filings, this filing also contains false and misleading information.

At the end of paragraph 4 on page 3, the filing represents "...disputes between the shareholders of ADBF as well as the need to obtain permits from Michigan state authorities relating to tourist railroad services provided by ADBF or its corporate siblings delayed the filing of this notice until now." I believe this statement is false and misleading. Although there have been disputes between shareholders, these disputes in no way caused the delay in filing of this notice. I believe the current management of the ADBF is merely fabricating an excuse for its own failure to follow the Board's instruction issued, over a year ago, on October 23, 2009. The Board of Directors of the ADBF are negligent in not taking the actions instructed by the Board. I believe there was nothing preventing the ADBF from filing this notice immediately after the Board's instruction. The only difference would had been that Dawn M. Osment was not a shareholder at that time. If the mere potential of adding a new shareholder to the corporate records restricted a carrier from filing a notice, almost no carrier would ever be able to file a

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notice. This is just another example of the false and misleading information the current management of ADBF continues to present to the Board as facts being true and accurate, then later being found to be untrue.

False and misleading information was also presented in the last sentence of footnote 3 on page 2. The filing states "Petitioners do not believe that rail labor's position has any merit." The fact I am being represented as a Petitioner in this filing makes this statement completely false and misleading. I believe just the opposite. I commend rail labor's efforts to inform and make the Board aware of the unqualified crews ADBF/JAIL is utilizing to operate the Jackson to Lansing line and the severe safety violations they are committing. The current management of ADBF/JAIL can attempt to discount these safety violations as mere "growing pains", however such violations are not contained to just the Jackson to Lansing line. Recently, on ADBF's home trackage, an ADBF crew ran through a reversed turnout and derailed all wheels of the locomotive and half the wheels of a railcar. And as the Yreka Western Railroad Company, an ADBF customer, stated in its comments related to FD 35410, FD 35411 and FD 35418, it "...had to provide crews to assist in switching 20 cars which had been stored on the tracks of the CHS...". Further demonstrating that ADBF's failures to operate a safe and effective railroad operation are not limited to the Jackson to Lansing line.

The Board should also be aware of what I consider to be the abuse of federal preemption by the current management of ADBF. I have attached a copy of an article (Exhibit A) that appeared in Adrian, Michigan's local newspaper, The Daily Telegram, on January 14, 2010 titled "*Lengthy railroad crossing delays upset city officials*". The Board must understand the 71-car train referenced in the article was not merely passing through Adrian, Michigan, it was being interchanged between NS and ADBF via a slow (5 to 10 mph) move through town, a stop essentially in the middle of town and then a reverse move back through town. Special attention should be given to paragraph three of the article where it states "[ADBF] issued a news release Wednesday saying the crossings would be blocked... ..for about two hours...". The two hour crossing blockage included the primary east/west street through town. It should be understood the two hour blockage was caused because the ADBF's operating plan for these 70+ car trains included conducting a Class I air brake while the train blocked several crossings.

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Actually **planning** to conduct a Class I air brake test on a 70+ car train blocking several crossings is an abuse of federal preemption and shows a general lack of concern for public safety and convenience.

As a shareholder of ADBF concerned about the apparent continued lack of attention to safety the current management of ADBF has shown and the potential for a repeat performance of the almost catastrophic event endangering the safety of thousands within blocks of the Michigan State Capital, it may be in the best interest of the safety of the general public, the transportation industry as a whole and shareholders of ADBF, for the Board to exercise its authority under 49 U.S.C. §11123 to designate a qualified rail carrier to operate the ADBF and its subsidiary rail carriers until such time as the ADBF can demonstrate it has assembled a safety conscience, truthful, effective and competent management team.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. Pape', with a stylized flourish at the end.

Dale R. Pape

Shareholder

Adrian & Blissfield Rail Road Company

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing letter containing the comments of Dale R. Pape have been served upon the following by mail this 18th day of February, 2011:

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A handwritten signature in black ink, appearing to read 'Dale R. Pape', is written over a horizontal line.

Dale R. Pape

EXHIBIT A

Lengthy railroad crossing delays upset city officials - Adrian, MI - The Daily Telegram



lenconnect.com

The Daily Telegram - Adrian, MI - Serving Lenawee County Since 1892

Lengthy railroad crossing delays upset city officials

By Bob Whentzen

Daily Telegram

Published Jan 14, 2011 at 12:50 PM

Last updated Jan 14, 2011 at 01:01 PM

ADRIAN, Mich. — A 71-car train that rolled through Adrian Wednesday created a public safety danger by blocking crossings for an extended period of time, the city administrator said.

City officials are upset at Adrian & Blinfield Rail Road Co. for snarling traffic at numerous crossings just north of Beecher Street, including those at Main and Winter streets.

They issued a news release Wednesday saying the crossings would be blocked for about 30 minutes on Wednesday afternoon and again for about two hours at about 1 a.m. Friday, Jan. 15.

"We're not happy at all about it," said City Administrator Dane Nelson. "We had requested the company follow state law, which stops them from blocking intersections for more than five minutes. They responded by citing a federal court of appeals court decision which indicates that (state law) is not enforceable. And we respect that (court) decision. However, the blocking of those crossings is a public safety concern to us, let alone a disruption to motorists on their daily routes."

Ambulances and other emergency vehicles must determine an alternative route during the delays, Nelson said, but the city couldn't get an exact time from the railroad.

Mark Dobronski, president of Adrian & Blinfield Rail Road, said the longer trains are a more economical way to transport products. He said the railroad is trying to minimize any disruptions and inconvenience.

"We're doing this to serve a Lenawee County business better and serve their needs better," he said. "By taking these unit trains, they're able to get a much better rate to move this product."

"This inconvenience should not be viewed by anybody as an inconvenience," he said. "It should be viewed as Lenawee County's economy is improving."

The train rolled slowly through a crossing at Main Street just north of Beecher St. at about 4 p.m. Wednesday as cars lined up at the crossing.

"Seventy-one cars?" motorist Ross Shirley said after learning the length of the train.

"I just got out of work," Shirley said. "I picked up my car at Clift (auto dealership) and I'm headed home."

After waiting for several minutes at the crossing, Shirley made a U-turn and headed the other direction on Main Street. The train backed up, allowing traffic to proceed through the crossing just after she left.

Dale Pope of Adrian, a former Adrian & Blinfield Rail Road executive who said he still owns stock in the company, was at the Main Street crossing taking pictures of the train. He said he was upset with the railroad's decision.

"It's recklessly irresponsible to bring a train like this through town," he said. "It's just not being a good corporate citizen."

Nelson said the city has no recourse because of the federal court ruling. He said officials had hoped the railroad would honor the state law as a courtesy even though it's not enforceable.

"They're going to do it several more times," he said. "At least 10 times this year they're telling us."

Dobronski declined to provide specifics about the train's cargo or destination, saying it would violate federal regulations.

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<http://www.lenconnect.com/features/x1689205770/Lengthy-railroad-crossing-delays-upset...>